

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

SAMSUNG ELECTRONICS CO., LTD.  
AND SAMSUNG SEMICONDUCTOR,  
INC.,

Plaintiffs,

v.

NETLIST, INC.,

Defendant.

C.A. No. 21-1453 (RGA) (JLH)

NETLIST, INC.,

Counterclaim Plaintiff,

v.

GOOGLE LLC, ALPHABET INC.,  
SAMSUNG ELECTRONICS CO., LTD.  
AND SAMSUNG SEMICONDUCTOR,  
INC.,

Counterclaim Defendants.

**SAMSUNG ELECTRONICS CO., LTD. AND SAMSUNG  
SEMICONDUCTOR, INC.'S MOTION TO STAY**

Plaintiffs and Counterclaim-Defendants Samsung Electronics Co., Ltd. and Samsung Semiconductor, Inc. (collectively, “Samsung”) respectfully move for a stay of the above-captioned litigation until the later of (1) the conclusion of the parties’ Federal Circuit appeals of the Patent Trial and Appeal Board’s final written decisions in the *inter partes* reviews involving the three patents-in-suit (U.S. Patent Nos. 9,858,218; 10,474,595; and 10,217,523); and (2) the resolution by the Ninth Circuit of a pending appeal concerning whether Samsung has a license to the patents-in-suit. The grounds for this motion are set forth in the Opening Brief filed herewith.

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*/s/ Rodger D. Smith II*

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June 1, 2023

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Samsung Semiconductors, Inc.*

**RULE 7.1.1 CERTIFICATE**

Samsung has made reasonable efforts to resolve this dispute with Netlist. On May 17, 2023, Samsung informed Netlist via email of its intention to move to stay the case and requested Netlist's position. Netlist did not respond. During the May 22, 2023 hearing, Netlist indicated that it disagreed that the case should be stayed except as to the '218 and '595 patents. Samsung raised the issue again with Netlist's counsel in person following the hearing, and Netlist confirmed that this was its position on the motion.

*/s/ Rodger D. Smith II*

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Rodger D. Smith II (#3778)

**CERTIFICATE OF SERVICE**

I hereby certify that on June 1, 2023, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on June 1, 2023, upon the following in the manner indicated:

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